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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/078,499	02/21/2002	Takashi Tsue	Q66587	4701

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EXAMINER
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PAPANIKOLAOU, ATHANASIOS T

ART UNIT	PAPER NUMBER
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2627

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/078,499	<b>Applicant(s)</b> TSUE ET AL.	
	<b>Examiner</b> Athanasios Tom Papanikolaou	<b>Art Unit</b> 2627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 21 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/4/05</u> | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Information Disclosure Statement*

1. The references listed in the Information Disclosure Statement(s) submitted on 10/4/2005 have been considered by the examiner (see attached PTO-1449).

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1 and 3 are rejected under 35 U.S.C. 102(e) as being anticipated by Sasaki (U.S. Patent Application Publication 2004/0105016 A1).

Regarding claim 1, Sasaki discloses **a method of processing images, wherein inputted image data is subjected to image processes and the processed image data is outputted, comprising the steps of sequentially dividing inputted image data into small blocks of image data, each having a data volume according to the characteristics of an image process be performed (claim 27), sequentially performing an image process on said small blocks of image data sequentially obtain small blocks of processed**

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**image data (see Fig. 3), and sequentially outputting said small blocks of processed image data to an output destination (see Fig 2 and paragraph 4).**

Regarding claim 3, Sasaki discloses the limitations of claim 1 as stated above and further teaches **said inputted image data is cached, and said cached inputted imaged data is divided into the small blocks of image data (see Fig 2 and claim 27).**

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 2 is rejected under 35 U.S.C. 103 (a) as being unpatentable over Sasaki in view of Yokoyama (U.S. Patent 5,381,163).

Sasaki discloses **the method above in claim 1.**

Sasaki does not disclose expressly **said inputted image data is divided into said small blocks of data in accordance with the access characteristics of said inputted image data.**

Yokoyama discloses **said inputted image data is divided into said small blocks of data in accordance with the access characteristics of said inputted image data (see abstract):**

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Sasaki and Yokoyama are combinable because they are from the same field of endeavor namely image processing. At the time of the invention it would have been obvious to a person of ordinary skill in the art to have Sasaki's method include dividing the image data into blocks according to the characteristics of the inputted image data, as taught by Yokoyama. The suggestion or motivation for doing so would have been that Sasaki's system could divide the image data into segments while maintaining the functionality of the original input data. Therefore, it would have been obvious to combine the teachings of Yokoyama with the method of Sasaki to obtain the invention in claim 2.

6. Claim 4 is rejected under 35 U.S.C. 103 (a) as being unpatentable over Sasaki in view of Shiraiwa (U.S. Patent Application Publication 2005/0162695 A1).

Sasaki discloses the method above in claim 1 and **said processed small blocks of image data are sequentially cached** (see Fig. 2).

Sasaki does not disclose expressly **and output data is outputted from said cached small blocks of processed image data, according to the characteristics of the output destination.**

Shiraiwa discloses **and output data is outputted from said cached small blocks of processed image data, according to the characteristics of the output destination** (paragraph 30).

Sasaki and Shiraiwa are combinable because they are from the same field of endeavor namely image processing. At the time of the invention it would have

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been obvious to a person of ordinary skill in the art to have Sasaki's method include outputting the processed data according to the characteristics of the output location, as taught by Yokoyama. The suggestion or motivation for doing so would have been that Sasaki's system could send the image data in a compatible format with the output destination. Therefore, it would have been obvious to combine the teachings of Shiraiwa with the method of Sasaki to obtain the invention in claim 4.

7. Claim 5 is rejected under 35 U.S.C. 103 (a) as being unpatentable over Sasaki in view of Ohta (U.S. Patent Application Publication 2002/0051230 A1), and further in view of Redd et al. (U.S. Patent Application Publication 2005/0190400 A1).

Sasaki discloses the method above in claim 1.

Sasaki does not disclose expressly **wherein the image processes are performed in accordance with the characteristics of the inputted image data.**

Ohta discloses **wherein the image processes are performed in accordance with the characteristics of the inputted image data** (see abstract and paragraph 41).

Sasaki and Ohta are combinable because they are from the same field of endeavor namely image processing. At the time of the invention it would have been obvious to a person of ordinary skill in the art to have Sasaki's method include image processing according to the characteristics of the inputted data, as

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taught by Ohta. The suggestion or motivation for doing so would have been that Sasaki' system could provide flexibility in processing a wide variety of image data types. Therefore, it would have been obvious to combine the teachings of Ohta with the method of Sasaki to obtain the invention in claim 4.

Continuing, Sasaki and Ohta both fail to expressly disclose **and/or the characteristics of the output destination**.

Redd discloses **and/or the characteristics of the output destination** (paragraph 100).

Sasaki, Ohta, and Redd are combinable because they are from the same field of endeavor namely image processing. At the time of the invention it would have been obvious to a person of ordinary skill in the art to have Sasaki and Ohta's method include image processing according to the characteristics of the inputted data, as taught by Redd. The suggestion or motivation for doing so would have been that Sasaki and Ohta's method would have flexibility in processing image data to a variety of output destinations. Therefore, it would have been obvious to combine the teachings of Redd with the method of Sasaki and Ohta to obtain the invention in claim 5.

8. Claim 6 is rejected under 35 U.S.C. 103 (a) as being unpatentable over Sasaki in view of Redd.

Sasaki discloses the method above in claim 1.

Sasaki does not disclose expressly **a determination is made as to whether not the image process dependent on the output destination is**

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**valid or not, based on the characteristics of the input destination of the inputted image data and the output characteristics of the output destination, and for cases in which it is determined that the image process dependent on the output destination is valid, the processing dependent on said output destination is substituted for the aforementioned processing.**

Redd discloses a **determination is made as to whether not the image process dependent on the output destination is valid or not, based on the characteristics of the input destination of the inputted image data and the output characteristics of the output destination, and for cases in which it is determined that the image process dependent on the output destination is valid, the processing dependent on said output destination is substituted for the aforementioned processing (paragraph 100).**

Sasaki and Redd are combinable because they are from the same field of endeavor namely image processing. At the time of the invention it would have been obvious to a person of ordinary skill in the art to have Sasaki's method include determining if the image process is compatible with the output and subsequently using the image process that is compatible with the output, as taught by Redd. The suggestion or motivation for doing so would have been that Sasaki' system could send the image data in a compatible format with the output destination. Therefore, it would have been obvious to combine the teachings of Redd with the method of Sasaki to obtain the invention in claim 6.



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9. Claims 7 through 12 recite identical features as claims 1 through 6, respectively, except claims 7-12 are apparatus claims. Thus arguments similar to that presented above for claims 1-6 are equally applicable to claims 7-12.

Claims 13 through 18 recite identical features as claims 1 through 6 except claims 13-18 are computer readable medium claims. Thus, arguments similar to that presented above for claims 1-6 are equally applicable to claims 13-18 because without a computer readable medium to store a program that makes it possible for the systems to operate (the systems taught by Sasaki, Ohta, Yokoyama, Shiraiwa, and Redd), the rejections for claims 1-6 could not function.

#### ***Citation of Pertinent Prior Art***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

**Tanaka** (U.S. Patent Application Publication 2005/0013436) discloses an image is stored in a memory and divided into a plurality of  $(k)$  times  $\times$   $(k)$  pixel blocks which are sequentially read out as block image data.

**Ishida et al.** (U.S. Patent 6,173,082) discloses image processing related to characteristics of image data.

#### ***Conclusion***

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Athanasios Tom Papanikolaou whose

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telephone number is (571) 272-7953. The examiner can normally be reached on 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ed Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A.P.

JOSEPH R. POKRZYWA  
PRIMARY EXAMINER  
ART UNIT 2622  
*Joseph R Pokrzywa*